

KBN **CONNECTION**

Summer **2013**
Edition 36

THIS IS YOUR OFFICIAL LICENSURE RENEWAL NOTICE.
It is time to renew all nursing licenses and credentials.

See pages 16-19 for renewal information.

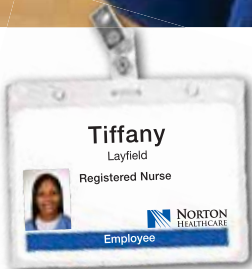
Background checks now required if license lapses.

2013 ANNUAL LICENSE RENEWAL NOTIFICATION



RENEWAL
OFFICIAL RENEWAL NOTICE
RENEWAL DATES:
SEPT. 15 - OCT. 31, 2013

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KBN CONNECTION

Published by the
Kentucky Board of Nursing
312 Whittington Pky., Ste 300
Louisville, KY 40222-5172
Phone: 800-305-2042 or 502-429-3300
Fax: 502-429-3311
Web Address: <http://kbn.ky.gov>

KBN MISSION

The Kentucky Board of Nursing protects the well-being of the public by development and enforcement of state laws governing the safe practice of nursing, nursing education, and credentialing.

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Statistics Corner

As of July, 27, 2013 KBN records show:

RN Active: 63,787

LPN Active: 15,566

Advanced Registered
Nurse Practitioners: 5,090

Dialysis Technicians Active: 515

SANE Active: 248



KBN Connection circulation includes over 80,000 licensed nurses and nursing students in Kentucky.

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PRESIDENT'S MESSAGE

The Nursing Incentive Scholarship Fund provides scholarships to Kentucky residents who have been accepted into a nursing program. Scholarship recipients are selected based on a points system. Individuals who have a financial need are given preference through the scoring process. The scholarship amount is \$3,000 per year and can be used on any expense. An applicant must be a Kentucky resident; however the nursing program does not have to be in Kentucky and can be an online program. Scholarship applications are accepted January through June 1st of each year. Students in pre-licensure programs must complete a minimum of 15 credit hours of requirements for the nursing program per academic year. Graduate programs require completion of 9 credit hours per academic year.

Students must maintain a grade point average which allow for continuation in the nursing program. After accepting the scholarship the recipient agrees to work full time as a nurse in Kentucky one year for each year the scholarship is awarded. If a recipient doesn't complete the required course work within the time frame specified by the program or the recipient doesn't complete the work requirement then the recipient will repay the awarded monies plus accumulated interest.

The NISF is financed by \$5.00 from nurse licensure renewal application fees and some healthcare facility penalties specified per KRS 317.027. This calendar year (2013-2014) the Board of Nursing received 714 total applications for NISF scholarships.

This year 30 continuation applications were received and 134 new applications were awarded. The breakdown includes:

- 65 RN to GRD
- 49 RN to BSN
- 2 LPN to BSN
- 18 LPN to ADN

The total projected amount awarded this year will be \$424,500 from a fund of \$457,455.

If you are interested in applying for a scholarship or have questions, please call the Board office or check out KBN's website.

*Note-much of the information contained in the article was obtained from the KBN website.

A handwritten signature in black ink that reads "Sally Baxter RN". The signature is written in a cursive, flowing style.

Sally Baxter, RN
President, Kentucky Board of Nursing



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EXECUTIVE DIRECTOR'S MESSAGE

This issue of the KBN Connection serves as the Kentucky Board of Nursing's official notice to its licensees of the upcoming licensure renewal period. Like last year, online licensure renewal will be available to licensees from September 15, 2013 through October 31, 2013.

In order to practice as a licensed nurse in the Commonwealth of Kentucky or use the title registered nurse (RN), licensed practical nurse (LPN) or advanced practice registered nurse (APRN), the nurse must hold an active license issued by KBN or, for RNs and LPNs, hold an active multistate license issued by another Nurse Licensure Compact jurisdiction. It is each licensee's responsibility to assure that they hold an active nursing license if they wish to practice as a nurse or use the title. It is the advice of the Board and staff that licensees do not procrastinate until the last week or day of the renewal period. In the waning days and hours of the renewal period, due to high demand it is always possible that technological difficulties may occur which could impact your ability to complete the renewal process before the deadline. Remember, the early bird gets the worm (or the license in this case)!

If the license is not renewed for the licensure period November 1, 2013 through October 31, 2014, the LPN, RN or APRN may not work as a nurse beginning November 1, 2013 until such time as the licensee submits an application for reinstatement of licensure and meets all requirements for reinstatement of the license. The time frame for processing reinstatement applications can range from two (2) – eight (8) weeks, possibly longer, depending upon receipt of required information including, but not limited to, fingerprint results and criminal background checks. For additional information about licensure renewal, please refer to the website at www.kbn.ky.gov or contact the Board office for assistance.

It is imperative that all the questions posed of renewal applicants be answered by the applicant truthfully! Previous editions of the Connection have included articles concerning the requirements for licensees' reporting imposition of criminal convictions. Should you wish to review this

information, please go to the Board's website www.kbn.ky.gov or read the article republished in this issue of the KBN Connection.

Several pieces of legislation were passed in the 2013 General Assembly which impacts the KBN. House Bill (HB) 217, which became effective March 4, 2013, was the General Assembly's effort to clarify HB 1 implemented in 2012. As a result of implementation of HB 217, regulations pertaining to the prescription of controlled substances by APRNs (who have a CAPA-CS and DEA #), have been revised to conform to these statutory changes. All APRNs have a legal duty to know and understand their legal scope of practice including, but not limited to, the prescription of controlled substances. Failure to adhere to the legal scope of practice may subject the APRN to disciplinary action as specified in KRS Chapter 314.

HB 440, part of the Governor's 2013 legislative initiatives, mandates licensing boards (i.e.KBN), commissions and agencies to provide licensee information to the Department of Revenue upon request. As you may be aware, the Department of Revenue is responsible for collecting taxes for the Commonwealth. HB 440 extends the authority of the Department of Revenue to now include the denial or revocation (suspension) of licensure by a nurse who is found to be a "delinquent" taxpayer. (According to the April 29, 2013 Department of Revenue notice to KBN, a "delinquent" taxpayer is defined as "any business or individual who has a due and payable tax liability or non-filed return. Delinquent taxpayers have already exhausted their protest period and have been contacted numerous times for payment through a formalized collections process.") In short, the KBN is mandated to cooperate with the Department of Revenue in such matters involving licensed nurses in the Commonwealth which could result in the imposition of disciplinary action against the nurse's license.

It is my pleasure to announce that KBN will celebrate its centennial anniversary on April 9, 2014 at the Delphi Center, Shelby Campus, University of Louisville, Louisville. The Board and staff are hard at work planning a special conference and banquet to commemorate this significant event in the history

of nursing regulation in Kentucky. Please mark your calendars and keep a lookout for more information in future editions of the KBN Connection as well as on the Board's website.

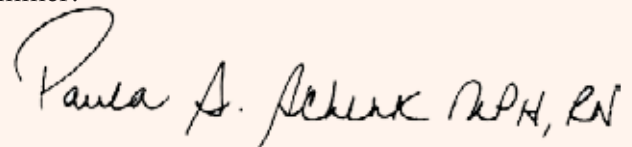
Another significant event as it relates to nursing regulation is that the National Council of State Boards of Nursing (NCSBN) is celebrating thirty five (35) years as an independent not-for-profit organization created to bring together boards of nursing to act and counsel together on matters of common interest. NCSBN Member Boards protect the public by ensuring that safe and competent nursing care is provided by licensed nurses. These BONs, including KBN, regulate more than 3 million licensed nurses, the second largest group of licensed professionals in the U.S. As you may be aware, NCSBN develops and administers a psychometrically sound and legally defensible nurse licensure examination consistent with current nursing practice. The NCLEX-RN and NCLEX-PN Examinations are constantly and rigorously evaluated as part of that process. Congratulations and thank you to NCSBN!

Since the last issue of the KBN Connection, several new staff have joined the Board. Wendy Wingham RN came to KBN as a Nurse Investigator on March 18, 2013. Marshia White, DSN, RN, CNE began employment as the Nursing Education Consultant on

May 1, 2013. Pamela Hagan MSN, RN, joined Board staff on June 17, 2013 as the APRN Education and Practice Consultant. On August 1, 2013, a former long-term and well-respected Board employee, Bernadette M. Sutherland MSN, RN returned to KBN as the Deputy Executive Director.

On another note, we bid a bittersweet farewell to two (2) remarkable people who have served this agency and the public most admirably, Sharon Eli Mercer, MSN, RN, Nursing Practice Consultant and Cheryl Skaggs, Nursing Practice Assistant. After many years of devoted service to the Board and the citizens of the Commonwealth, Sharon decided that she wished to retire effective August 1, 2013. Then, Cheryl Skaggs announced her retirement effective September 1, 2013. We reluctantly let them go and wished them both the very best in all their future endeavors!

Wishing all of you a wonderful, safe and happy summer!



Paula Schenk MPH, RN
Executive Director



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LEGAL CORNER



NEW LAW FOR NURSES WITH DELINQUENT TAX BILLS

The 2013 Session of the General Assembly passed House Bill 440 that amended KRS 131.1817. Any taxpayer who holds a professional license, such as a nurse, and has a delinquent tax bill could have their license suspended by the Board. Under the terms of the new law, the Kentucky Department of Revenue will notify the taxpayer that they are delinquent. If the taxpayer does not respond or does not work out a payment plan with the Department and that taxpayer holds a professional license, the Department of Revenue will notify the appropriate licensing board. The board must then either deny the application (if applicable) or suspend the license.

For more information, contact Nathan Goldman, KBN General Counsel, at 502-429-3309 or Nathan.Goldman@ky.gov.

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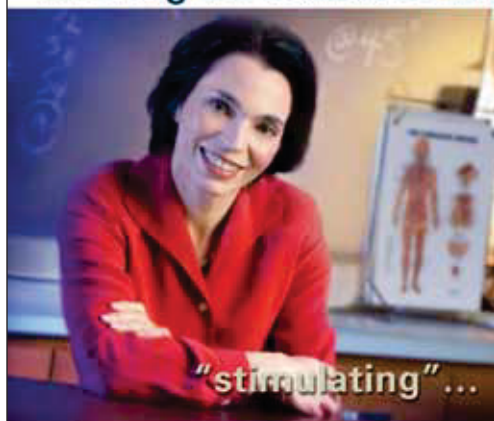
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CONVICTED!?! DO I HAVE TO REPORT?

by Patricia Y. Smith RN, Compliance Section Supervisor



Discipline Section/Criminal Conviction Brochure.

This is a violation of the nursing law and is eligible for action against a nursing license as referenced in part by the following:

KRS 314.091 Reprimand, denial, limitation, probation, revocation, or suspension of licenses, privileges, or credentials.

(1) The board shall have power to reprimand, deny, limit, revoke, probate,

continued on page 14

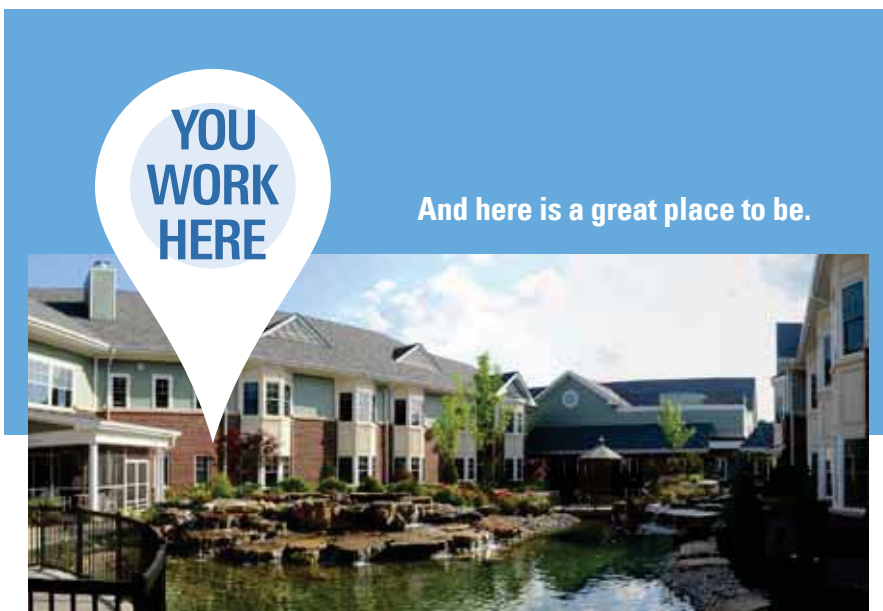
The Kentucky Nursing Laws mandate that a nurse report a criminal conviction within ninety (90) days. The definition of criminal conviction for the Board also includes an unvacated adjudication of guilt, pleading no contest or nolo contendere, entering an Alford plea, or entering a guilty plea pursuant to a pretrial diversion order, regardless of whether the penalty is rebated, suspended, or probated. If a conviction is not reported to the Board as required by law, the nurse may be subjected to disciplinary action against his or her license and assessed a civil penalty. This lack of reporting **may also delay the licensure process.**

The following is the law regarding reporting of convictions:

KRS (Kentucky Revised Statutes) 314.109 Notification of board of any criminal conviction.

Any person under the jurisdiction of the board shall, **within ninety(90) days** of entry of an order or judgment, notify the board in writing of any misdemeanor or felony criminal conviction, except traffic-related misdemeanors other than operating a motor vehicle under the influence of drugs or alcohol, in this or any other jurisdiction.

There is a brochure available on the Kentucky Board of Nursing website at <http://kbn.ky.gov> about reporting criminal convictions and most frequently asked questions. This can be accessed by selecting Forms & Publications/Investigation and



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November 9—Indianapolis, IN
December 7—Madisonville, KY
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or suspend any license or credential to practice nursing issued by the board or applied for in accordance with this chapter or the privilege to practice as a nurse recognized by the board in accordance with this chapter, or to otherwise discipline a licensee...

(b) Has been convicted of any felony, or a misdemeanor involving drugs,

alcohol, fraud, deceit, falsification of records, a breach of trust, physical harm or endangerment to others, or dishonesty, under the laws of any state or of the United States. The record of conviction or a copy thereof, certified by the clerk of the court or by the judge, who presided over the conviction, shall be conclusive evidence.

SEE PAGE 25-26 FOR APPROVAL STATUS



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THIS IS YOUR OFFICIAL RENEWAL NOTIFICATION.

2013 RENEWAL INFORMATION

BEGINS: September 15, 2013 at 12:01 a.m.

ENDS: Midnight October 31, 2013, Eastern Time

RENEWAL WEB ADDRESS: www.kbn.ky.gov/renewal

NOTIFICATION OF RENEWAL: When your license has been renewed you will receive an email notification to the email address you listed with KBN. You can also validate the expiration date of your license at <http://kbn.ky.gov/onlineSRVs/bulkvalidation/>

RENEWAL APPLICATION: Clicking on the submit button at the end of the renewal application does not renew your license. Renewal Application Processing time is dependant on information provided by the licensee. See article below for more information.

RENEWAL FEES: Print the confirmation page for your record of payment for your license renewal.

RN: \$50

LPN: \$50

APRN: \$40 for each designation
(plus \$50 for the RN license)

SANE: \$35

CONTINUING COMPETENCY

Clicking on the "submit" button at the end of the renewal process is an attestation that you have or will have met the continuing competency requirements by midnight, October 31. See article on pages 20-21 for continuing competence requirements.

LAST DAY OF RENEWAL

A license that is not renewed before 4:30 p.m. on October 31 will lapse at midnight on that date. Working on a lapsed license is a violation of Kentucky Nursing Law and subjects the individual to disciplinary action. See FAILURE TO RENEW on page 17.

If an application is received before midnight on October 31st and an individual answers "No" to the disciplinary and conviction questions, a license MAY be renewed by noon on the next business day. Failure to provide complete and accurate information on the renewal application is a violation of Kentucky Nursing Law and subjects the individual to disciplinary actions.

REQUIRED RENEWAL DOCUMENTATION

If you answered "yes" to the discipline, criminal, and/or the APRN national certification revocation questions, your license will not be renewed until KBN receives and reviews the required documents. If your license has not been renewed before midnight, Eastern Time, October 31, your license will lapse. You cannot practice as a nurse in Kentucky if your license has lapsed.

Required documentation includes:

1. Certified court records and letters of explanation, if you answer "yes" to the criminal activity question
2. Board certified orders and letters of explanation, if you answer "yes" to the disciplinary question
3. Documentation from your APRN national certification organization if you answer "yes," that your national certification was revoked or issued on a provisional or conditional status
4. Other documentation requested by KBN staff.

AFFIRMATION OF KBN DOCUMENTS

Affirmation statements appear at the end of all KBN applications for licensure and other KBN forms. The attestation statement is a confirmation that the information provided is truthful and accurate.

Be sure to read the attestation carefully. The individual whose name is on the application or form is accountable for all information the document contains and for understanding the additional information contained within the attestation statement itself. Accountability extends not only for the purpose for filing the form, but may also be compared to information provided on other forms filed with KBN.

Allowing another party to complete and submit a KBN form does not relieve the nurse or applicant of the accountability for incorrect or inadequate information provided and may be the basis for disciplinary action for falsification of a board of nursing form.

Each individual nurse or applicant should complete all forms and applications submitted to KBN himself/herself.

CURRENT ADDRESS

Kentucky Nursing Laws require nurses to notify the board of a change of address within thirty days of the change. Address changes made from the KBN web site update the board's data base in real time. A change of address may also be mailed to the board office.